

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1279 be amended to read as follows:

- 1 Page 5, line 37, delete "stand alone telephone" and insert "**telephone**
- 2 **exchange service (as defined in 47 U.S.C. 153(47)) that is provided**
- 3 **to a customer through the customer's primary line.**
- 4 **(b) The term includes, at a minimum, the following:**
- 5 **(1) Voice grade access to the public switched telephone**
- 6 **network with minimum bandwidth of three hundred (300) to**
- 7 **three thousand (3,000) hertz.**
- 8 **(2) Dual tone multifrequency signaling and single party**
- 9 **service.**
- 10 **(3) Unlimited local calling within the same local service area**
- 11 **(as defined in 170 IAC 7-1.2-2(25)) available to a similarly**
- 12 **situated customer on January 1, 2006.**
- 13 **(4) Access to:**
- 14 **(A) emergency services, including access to 911 and**
- 15 **enhanced 911 if provided by the local government having**
- 16 **jurisdiction in the service area;**
- 17 **(B) operator services;**
- 18 **(C) local directory assistance;**
- 19 **(D) telephone relay services; and**
- 20 **(E) interexchange service.**
- 21 **(5) Toll limitation services for qualifying low income**
- 22 **customers.**
- 23 **(c) The term does not include the following:**
- 24 **(1) A functionally equivalent service provided by a person or**
- 25 **an entity described in IC 8-1-2-1.1.**
- 26 **(2) A monthly rate structure for local exchange telephone**
- 27 **service based on usage.**
- 28 **(d) A service described in this section is a basic**
- 29 **telecommunications service regardless of whether the service is**
- 30 **purchased by the customer:**

- 1 **(1) in conjunction with another service;**
- 2 **(2) as part of:**
- 3 **(A) a package or bundle of services;**
- 4 **(B) a promotion; or**
- 5 **(C) a contract; or**
- 6 **(3) at a discounted price."**
- 7 Page 5, delete lines 38 through 42.
- 8 Page 6, delete lines 1 through 21.
- 9 Page 6, line 32, delete "service, except when the service" and insert
- 10 **"service;"**.
- 11 Page 6, delete lines 33 through 37.
- 12 Page 9, line 12, delete "(a) As used in this section," and insert "**A**
- 13 **provider that offers basic telecommunications service in Indiana:**
- 14 **(1) must offer a flat monthly rate with unlimited local calling**
- 15 **for basic telecommunications service in each local exchange**
- 16 **area in Indiana in which the provider offers basic**
- 17 **telecommunications service; and**
- 18 **(2) may not, in any local exchange area in Indiana in which**
- 19 **the provider offers basic telecommunications service, offer**
- 20 **any service plan for basic telecommunications service that**
- 21 **includes measured local service."**
- 22 Page 9, delete lines 13 through 42.
- 23 Delete pages 10 through 12.
- 24 Page 13, delete lines 1 through 19.
- 25 Page 13, line 22, delete "Except as provided in" and insert
- 26 **"Notwithstanding any other provision of this chapter, the**
- 27 **commission shall continue to exercise jurisdiction over the rates,**
- 28 **terms, and conditions of service for basic telecommunications**
- 29 **service."**
- 30 Page 13, delete lines 23 through 25.
- 31 Page 19, line 40, delete "1.2, 1.4," and insert "**1.2**".
- 32 Page 19, line 41, delete "following both during and after the rate"
- 33 and insert "**following**".
- 34 Page 19, line 42, delete "transition period described in section 1.3 of
- 35 this chapter,".
- 36 Page 22, line 27, after "to" insert "**nonbasic telecommunications**
- 37 **service offered by"**.
- 38 Page 23, line 1, after "over" insert "**nonbasic telecommunications**
- 39 **service offered by"**.
- 40 Page 23, line 31, after "of the" insert "**commission; or"**.
- 41 Page 23, delete lines 32 through 33.
- 42 Page 23, line 41, delete "IC 8-1-17-22.5 at any time during the" and
- 43 insert "**IC 8-1-17-22.5**".
- 44 Page 23, delete line 42.
- 45 Page 24, delete lines 1 through 3.
- 46 Page 47, line 24, after "to" insert "**nonbasic telecommunications**

- 1 **service offered by".**
- 2 Page 52, line 18, delete "using any available" and insert "**using:**
- 3 **(1) basic telecommunications service; or**
- 4 **(2) any other available technology acceptable to the affected**
- 5 **customer."**
- 6 Page 52, delete line 19.
- 7 Page 90, delete lines 21 through 35.
- 8 Renumber all SECTIONS consecutively.
(Reference is to EHB 1279 as printed February 17, 2006.)

Senator FORD